

LEE COUNTY BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

BLUE SHEET NO: 20020061

**1. REQUESTED MOTION:**

**ACTION REQUESTED:** Accept a Petition VAC2002-00001 to vacate a 12' Public Utility and Drainage Easement between the common lot lines of lots 2,3, and 4, Block 36, Unit 13, Section 16, Township 45 South, Range 27 East, Lehigh Acres, Florida as recorded in Plat Book 27, Page 176, of the Public Records of Lee County Florida, less and except the north 20 feet thereof and the east and west six feet thereof, and adopt a Resolution setting a Public Hearing for 5:00 p.m. on the 26th, day of March, 2002.

**WHY ACTION IS NECESSARY:** Combine 3 lots to build a Single Family home. The vacation of the Public Utility and Drainage Easement will not alter existing utilities and the easement is not necessary to accommodate any future utility requirement.

**WHAT THE ACTION ACCOMPLISHES:** Sets time and date for a Public Hearing.

**2. DEPARTMENTAL CATEGORY:**

COMMISSION DISTRICT # 5

*C4B*

**3. MEETING DATE:**

02-26-2002

**4. AGENDA**

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC

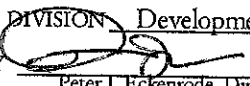
TIME REQUIRED:

**5. REQUIREMENT/PURPOSE:**

(Specify)

- STATUTE
- ORDINANCE
- ADMIN. CODE
- OTHER

**6. REQUESTOR OF INFORMATION:**

- A. COMMISSIONER \_\_\_\_\_
- B. DEPARTMENT Community Development
- C. DIVISION Development Services
- BY  1/28/02  
Peter J. Eckenrode, Director

**7. BACKGROUND:** The 12' Public Utility and Drainage Easement between the common lot lines of lots 2,3, and 4, Block 36, Unit 13, Section 16, Township 45 South, Range 27 East, Lehigh Acres, Florida as recorded in Plat Book 27, Page 176, of the Public Records of Lee County Florida, less and except the north 20 feet thereof, and the east and west six feet thereof. The project is located at 704 Dubarry Avenue South, Lehigh Acres, FL

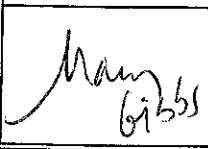
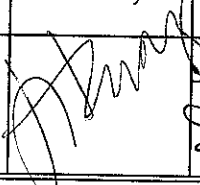

Documentation pertaining to this Petition to Vacate is available for viewing at the Office of Lee Cares.

There are not objections to this Petition to Vacate. Staff recommend the scheduling of he Public Hearing.

Attached to this Blue Sheet is the Petition to Vacate, The Resolution to set the Public Hearing and the Notice of Public Hearing.

**8. MANAGEMENT RECOMMENDATIONS:**

**9. RECOMMENDED APPROVAL**

A Department Director	B Purchasing or Contracts	C Human Rel.	D Other	E County Attorney	F County Administration				G County Manager
	N/A	N/A			OA 2/8/02	OM 2/11/02	Risk 2/12	GC 2/12/02 NY	

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

Rec. by CoAtty  
Date: 1/30/02  
Time: 9:00 AM  
Forwarded To:  
ADMIN  
2/7/02 3:30 PM

RECEIVED BY  
COUNTY ADMIN.  
3/7 4:50 P  
COUNTY ADMIN.  
FORWARDED TO:  
2/12 3:30

PETITION TO VACATE

Case Number: VAC 2002 - 00001

Petitioner(s), Anthony Ross + Ada Markland

requests the Board of County Commissioners of Lee County, Florida, to grant this Petition to Vacate and states as follows:

1. Petitioner(s) mailing address, 515 COLUMBUS AVE LEHIGH ACRES FL 33972
2. In accordance with Florida Statute (F.S.) Chapter 177 and Lee County Administrative Code (LCAC) 13-1, Petitioner desires to vacate the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A".
3. A sketch showing the area the Petitioner desires to vacate is attached as Exhibit "B".
4. Proof Petitioner paid all applicable state and county taxes is attached as Exhibit "C".
5. Petitioner is fee simple title holder to the underlying land sought to be vacated.
6. Petitioner did provide notice to all affected property owners concerning the intent of this Petition in accordance with the LCAC 13-1.
7. In accordance with letters of review and recommendation provided by various governmental and utility entities, it is apparent if the Board grants the Petitioner's request, it will not affect the ownership or right of convenient access of persons owning other parts of the subdivision.

Wherefore, Petitioner respectfully requests the Board of County Commissioners adopt a Resolution granting the Petition to Vacate.

Respectfully Submitted,

By: *Anthony Ross*  
 Petitioner Signature  
Anthony Ross  
 Printed Name

By: *Ada Markland*  
 Petitioner Signature  
Ada Markland  
 Printed Name

EXHIBIT I-C

LETTER OF AUTHORIZATION

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as Lots 2, 3, & 4, Unit 13, Block 36 Lehigh Acres and legally described in exhibit A attached hereto.

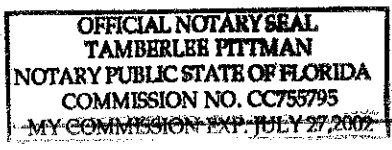
The property described herein is the subject of an application for zoning or development. We hereby designate Kelly Angus of Lyons Housing Corp. as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorizing of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended authorization is delivered to Lee County.

*Anthony T. Ross Ada Markland*  
Owner

Anthony T. Ross and Ada Markland Ross  
Printed Name

STATE OF FLORIDA  
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 17th day of January, 2002, by Anthony Ross & Ada Markland, who is personally known to me or who has produced \_\_\_\_\_ as identification.



*Tamberlee Pittman*  
Notary Public  
Tamberlee Pittman  
(Name typed, printed or stamped)

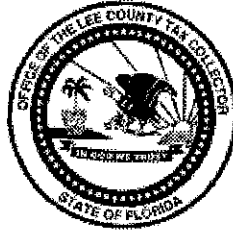
*Exhibit A*

**LEGAL DESCRIPTION**

A 12' Public Utility and Drainage Easement centered on the common lot lines of lots 2, 3 & 4, Block 36, Unit 13, of Lehigh Acres, as recorded in the Plat Book 27, Page 476 of the Public Records of Lee County, Florida, Section 16, Township 45 South, Range 27 East, less and except the north 20 feet thereof, and the east and west 6 feet thereof.



Lyons



PAID

RECEIPT

Transaction # 131401-4

12/12/2001

10:21:45 AM

CSV

LEE COUNTY TAX COLLECTOR

Items Paid

Type	Item / Tax Year	Receipt	Pay Date	Date	Cashier	Amount	Void
1-01 - Real Estate Tax	16-45-27-13-00036.0020 / 2001	131401-4-1	12/12/2001	12/12/2001	SXZ1	\$72.65	
1-01 - Real Estate Tax	16-45-27-13-00036.0030 / 2001	131401-4-2	12/12/2001	12/12/2001	SXZ1	\$73.54	
1-01 - Real Estate Tax	16-45-27-13-00036.0040 / 2001	131401-4-3	12/12/2001	12/12/2001	SXZ1	\$80.59	

Total Items Paid: \$226.78

Payment

Type	Date	Cashier	Amount	Void
Check	12/12/2001	SXZ1	\$226.78	

Total Payment \$226.78

\*\*\*\*\* END \*\*\*\*\*

COUNTY OF LEE: NOTICE OF AD VALOREM TAXES AND NON AD VALOR ASSESSMENTS DUE FOR YEAR 2001

Discounts have been calculated, pay only one amt:	If Paid By Nov 30, 2001 71.90	If Paid By Dec 31, 2001 72.65	If Paid By Jan 31, 2002 73.40	If Paid By Feb 28, 2002 74.15	If Paid By Mar 31, 2002 74.90	Call for amt due after Mar 31, 2002
---	----------------------------------	----------------------------------	----------------------------------	----------------------------------	----------------------------------	-------------------------------------

020100 20019 164527130003600206 00000074900 00000002254 00000000

MAKE CHECK PAYABLE TO: LEE COUNTY TAX COLLECTOR  
P O BOX 1609  
FT MYERS FL 33902-1609

REAL PROPERTY

ACCOUNT & SITE ADDRESS

16-45-27-13-00036.0020  
538 PARKDALE BLVD

ROSS ANTHONY T +  
MARKLAND ADA J/T  
11532 MEXICO ST  
JAMAICA NY 11412

To pay by phone or confirm receipt of your payment call the automated tax system (941) 332-8731.  
See insert for details. PIN Number: 01-00207125

PLEASE RETURN THIS PORTION WITH PAYMENT

COUNTY OF LEE: NOTICE OF AD VALOREM TAXES AND NON AD VALOREM ASSESSMENTS DUE FOR YEAR 2001

Discounts have been calculated, pay only one amt:	If Paid By Nov 30, 2001 72.78	If Paid By Dec 31, 2001 73.54	If Paid By Jan 31, 2002 74.29	If Paid By Feb 28, 2002 75.05	If Paid By Mar 31, 2002 75.81	Call for amt due after Mar 31, 2002
---	----------------------------------	----------------------------------	----------------------------------	----------------------------------	----------------------------------	-------------------------------------

020100 20019 164527130003600304 00000075810 00000002270 00000000

MAKE CHECK PAYABLE TO: LEE COUNTY TAX COLLECTOR  
P O BOX 1609  
FT MYERS FL 33902-1609

REAL PROPERTY

ACCOUNT & SITE ADDRESS

16-45-27-13-00036.0030  
540 PARKDALE BLVD

ROSS ANTHONY T +  
MARKLAND ADA J/T  
11532 MEXICO ST  
JAMAICA NY 11412

To pay by phone or confirm receipt of your payment call the automated tax system (941) 332-8731.  
See insert for details. PIN Number: 01-00207126

PLEASE RETURN THIS PORTION WITH PAYMENT

COUNTY OF LEE: NOTICE OF AD VALOREM TAXES AND NON AD VALOREM ASSESSMENTS DUE FOR YEAR 2001

Discounts have been calculated, pay only one amt:	If Paid By Nov 30, 2001 79.76	If Paid By Dec 31, 2001 80.59	If Paid By Jan 31, 2002 81.42	If Paid By Feb 28, 2002 82.25	If Paid By Mar 31, 2002 83.08	Call for amt due after Mar 31, 2002
---	----------------------------------	----------------------------------	----------------------------------	----------------------------------	----------------------------------	-------------------------------------

020100 20019 164527130003600402 00000083085 00000002499 00000000

MAKE CHECK PAYABLE TO: LEE COUNTY TAX COLLECTOR  
P O BOX 1609  
FT MYERS FL 33902-1609

REAL PROPERTY

ACCOUNT & SITE ADDRESS

16-45-27-13-00036.0040  
704 DUBARRY AV S

ROSS ANTHONY T +  
MARKLAND ADA J/T  
11532 MEXICO ST  
JAMAICA NY 11412

To pay by phone or confirm receipt of your payment call the automated tax system (941) 332-8731.

CHARLIE GREEN LEE COY FL

96 JUL 12 PM 12:31

3995576

BR2724 PG2276

After recording, return to:  
GUARDIAN TITLE OF LEHIGH  
Box 85



PREPARED BY:  
Janet Allison  
Vice President  
LEHIGH CORPORATION  
226 East Joel Boulevard  
Lehigh Acres, Florida 33936

Strap #: 16-45-27-13-00036.0020

Documentary Tax Pd. \$ 72.80  
Intangible Tax Pd. 0  
CHARLIE GREEN, CLERK, LEE COUNTY  
By C. Keller Deputy Clerk

RECORD VERIFIED - CHARLIE GREEN, CLERK  
BY: C. KELLER, D.C.

GL 3796

BR-275273 10,350.00

# Warranty Deed

REC. 6.00  
DOC. 72.80  
TOT. 78.80

This Indenture, made this 31st day of January A.D. 1996

Wherever used herein, the term "party" shall include the heirs, personal representatives, successors, and/or assigns of the respective parties hereto; the use of the singular number shall include the plural, and the plural the singular; the use of any gender shall include all genders.

Between LEHIGH CORPORATION, a corporation existing under the laws of the State of Florida, having its principal place of business at 226 East Joel Boulevard, Lehigh Acres, Lee County, Florida 33936, party of the first part, and ANTHONY T. ROSS (S.S.#125-36-7933) and ADA MARKLAND (S.S.#104-42-8558), As joint tenants with full rights of survivorship and not as tenants in common. 115-32 Mexico Street Jamaica, NY 11412

party of the second part.

Witnesseth, that the said party of the first part, for and in consideration of the sum of TEN DOLLARS AND OTHER VALUABLE CONSIDERATIONS, to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said party of the second part, his heirs and assigns forever, the following described land, situate, lying, and being in the County of Lee, State of Florida, to wit:

Lot 2, Block 36, Unit 13,  
Section 16, Township 45 South, Range 27 East,

Lehigh Acres, Florida

According to the map or plat thereof on file in the office of the Clerk of the Circuit Court, recorded in Plat Book 27, Page 176, Public Records, Lee County, Florida. Subject to reservations, restrictions, and easements of record, and taxes for the calendar year. Reserving however, all oil, gas, and mineral rights.

And the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof the said party of the first part has caused these presents to be signed in its name by its Vice President and its corporate seal to be affixed the day and year above written.

Lehigh Corporation  
A Florida Corporation

By Janet Allison  
Janet Allison, Vice President

State of Florida  
COUNTY OF LEE

I HEREBY CERTIFY that on this day and year first above written before me personally appeared the above named, the Vice President of LEHIGH CORPORATION, a corporation under the laws of the State of Florida, well-known to me and to me known to be the person described in and who executed the foregoing conveyance and acknowledged the execution thereof to be the free act and deed as such officer, for the uses and purposes therein mentioned; and affixed thereto the official seal of said corporation, and the said instrument is the act and deed of said corporation.

WITNESS my signature and official seal at Lehigh in the County of Lee and State of Florida, the day and year last aforesaid.

NOTARY PUBLIC OFFICIAL NOTARY SEAL  
DAWN S. MASON  
COMMISSION NUMBER 167958  
EXPIRES 07-1998  
Received Time Oct. 23 1:28 PM

Dawn S. Mason  
Notary Public, State of Florida  
Dawn S. Mason



After recording, return to:  
GUARDIAN TITLE OF LEHIGH  
Box 85

3802706

CHARLIE GREEN LEE COUNTY FL  
95 JUL -7 PH 2:46



PREPARED BY:  
Janet Allison  
Vice President  
LEHIGH CORPORATION  
201 East Joel Boulevard  
Lehigh Acres, Florida 33936

Documentary Tax Pd. 70.00  
Intangible Tax Pd.  
CHARLIE GREEN, CLERK, LEE COUNTY  
Deputy Clerk

Strip #: 16-45-27-13-00036,0030

DR2615 PG1826

RECORD VERIFIED - CHARLIE GREEN CLERK  
BY: HELEN PARROLL, B.C.

AP-27510B-9 10,000.00

# Warranty Deed

REC. 6.00  
DOC. 70.00  
TOT. 76.00

This Indenture, made this 27th day of May

A.D. 19 95

Wherever used herein, the term "party" shall include the heirs, personal representatives, successors, and/or assigns of the respective parties hereto; the use of the singular number shall include the plural, and the plural the singular; the use of any gender shall include all genders.

Between LEHIGH CORPORATION, a corporation existing under the laws of the State of Florida, having its principal place of business at 201 East Joel Boulevard, Lehigh Acres, Lee County, Florida 33936, party of the first part, and

ANTHONY T. ROSS (S.S.#125-30-7933) and  
ADA MARKLAND (S.S.#104-42-8558), As joint tenants with full rights of survivorship  
115-32 Mexico Street and not as tenants in common  
Jamaica, NY 11412

party of the second part,

Witnesseth, that the said party of the first part, for and in consideration of the sum of TEN DOLLARS and OTHER VALUABLE CONSIDERATIONS, to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said party of the second part, his heirs and assigns forever, the following described land, situate, lying, and being in the County of Lee, State of Florida, to wit:

Lot 3, Block 36, Unit 13, Section 16,  
Township 45 South, Range 27 East,

Lehigh Acres, Florida

According to the map or plat thereof on file in the office of the Clerk of the Circuit Court, recorded in Plat Book 27, Page 176, Public Records, Lee County, Florida. Subject to reservations, restrictions, and easements of record, and taxes for the calendar year. Reserving however, all oil, gas, and mineral rights.

And the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof the said party of the first part has caused these presents to be signed in its name by its Vice President and its corporate seal to be affixed the day and year above written.

(Corporate Seal)

Lehigh Corporation  
A Florida Corporation

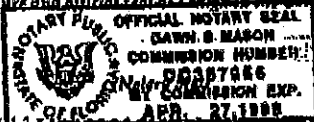
By Janet Allison  
Janet Allison, Vice President

State of Florida  
COUNTY OF LEE

I HEREBY CERTIFY that on this day and year first above written, before me personally appeared the above named, the Vice President of LEHIGH CORPORATION, a corporation under the laws of the State of Florida, well-known to me and to me known to be the person described in and who executed the foregoing conveyance and acknowledged the execution thereof to be the free act and deed as such officer, for the uses and purposes therein mentioned; and affixed thereto the official seal of said corporation, and the said instrument is the act and deed of said corporation (and who did not take an oath).

WITNESS my signature and official seal at Lehigh in the County of Lee and State of Florida, the day and year last aforesaid.

My Commission Expires:  
4/27/98  
CC367956



Dawn S. Mason  
Notary Public, State of Florida  
Dawn S. Mason

CHARLIE GREEN LEE CTY FL

3772492

95 MAY 10 PM 2:24

After recording, return to:  
GUARDIAN TITLE OF LEHIGH  
Box 65



PREPARED BY:  
Janet Allison  
Vice President  
LEHIGH CORPORATION  
201 East Joel Boulevard  
Lehigh Acres, Florida 33936

Documentary Tax At \$ 77.00  
Lehigh's Tax Pd.  
CHARLIE GREEN, CLERK, LEE COUNTY  
By D. Underwood Deputy Clerk

DL  
3178

BR2599 P6077 III

Strap #: 16-45-27-13-00036.0040

RECORD VERIFIED - CHARLIE GREEN, CLERK  
BY: D. UNDERWOOD, D.C.

BP-275062-8 11,000.00

# Warranty Deed

REC. 6.00  
DOC. 77.00  
TOT. 83.00

This Indenture, made this 6th day of April A.D. 19 95

Wherever used herein, the term "party" shall include the heirs, personal representatives, successors, and/or assigns of the respective parties hereto; the use of the singular number shall include the plural, and the plural the singular; the use of any gender shall include all genders.

Between LEHIGH CORPORATION, a corporation existing under the laws of the State of Florida, having its principal place of business at 201 East Joel Boulevard, Lehigh Acres, Lee County, Florida 33936, party of the first part, and ANTHONY T. ROSS (S.S.#125-36-7933) and ADA MARKLAND (S.S.#104-42-8550), As joint tenants with full rights of survivorship 115-32 Mexico Street Jamaica, NY 11412 and not as tenants in common.

party of the second part,

Witnesseth, that the said party of the first part, for and in consideration of the sum of TEN DOLLARS AND OTHER VALUABLE CONSIDERATIONS, to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said party of the second part, his heirs and assigns forever, the following described land, situate, lying, and being in the County of Lee, State of Florida, to wit:

Lot 4, Block 36, Unit 13, Section 16, Township 45 South, Range 27 East,

Lehigh Acres, Florida  
According to the map or plat thereof on file in the office of the Clerk of the Circuit Court, recorded in Plat Book 27, Page 176 Public Records, Lee County, Florida. Subject to reservations, restrictions, and easements of record, and taxes for the calendar year. Reserving however, all oil, gas, and mineral rights.

And the said party of the first part does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

In Witness Whereof the said party of the first part has caused these presents to be signed in its name by its Vice President and its corporate seal to be affixed the day and year above written.

Lehigh Corporation  
A Florida Corporation

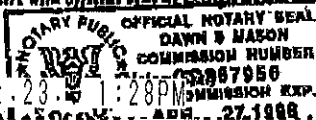
By Janet Allison  
Janet Allison, Vice President

State of Florida  
COUNTY OF LEE

I HEREBY CERTIFY that on this day and year first above written before me personally appeared the above named, the Vice President of LEHIGH CORPORATION, a corporation under the laws of the State of Florida, well-known to me and to me known to be the person described in and who executed the foregoing conveyance and acknowledged the execution thereof to be the free act and deed as such officer, for the uses and purposes therein mentioned; and affixed thereto the official seal of said corporation, and the said instrument is the act and deed of said corporation (and who did not take an oath).

WITNESS my signature and official seal at Lehigh in the County of Lee and State of Florida, the day and year last aforesaid.

My Commission Expires:  
4/27/98



Dawn S. Mason  
Notary Public, State of Florida  
Dawn S. Mason

Received Time Oct. 23 1:28 PM



November 27, 2001

NOV 28 2001

Ms. Kelly Angus  
Lyons Housing Corp.  
12220 Towne Lake Dr., Suite 1  
Ft. Myers, FL 33913

Re: 16-45-27-13-00036.0020, 704 Dubarry Ave., Lehigh Acres

Dear Ms. Angus:

LCEC does not object to vacation of the platted easements at the referenced site, LESS and EXCEPT those areas highlighted on the attached survey plat and further described as follows:

1. A 12-foot-wide utility and/or drainage easement centered on the lot line common to Lots 2 and 3, Block 36, Unit 13, a subdivision of Lehigh Acres, as recorded in Plat Book 27, page 176, LESS and EXCEPT the northerly 20 feet for an existing guy and anchor.
2. A 12-foot-wide utility and/or drainage easement centered on the lot line common to Lots 2 and 4, Block 36, Unit 13, a subdivision of Lehigh Acres, as recorded in Plat Book 27, page 176, LESS and EXCEPT the westerly 6 feet thereof.
3. A 12-foot-wide utility and/or drainage easement centered on the lot line common to Lots 3 and 4, Block 36, Unit 13, a subdivision of Lehigh Acres, as recorded in Plat Book 27, page 176, LESS and EXCEPT the easterly 6 feet thereof.

Please call me at 656-2422 if you have any questions.

Sincerely,

Karen Hardin  
Real Property Representative

Attachment





Box 370  
Fort Myers, Florida 33902-0370

November 28, 2001

NOV 29 2001

Ms. Kelly Angus  
12220 Towne Lake Dr., Suite 1  
Fort Myers, Florida 33913

RE: Vacation of Easement -- Lots 02 & 03 and Lots 02, 03 & 04  
Block 36, Section 16, Township 45 South,  
Range 27 East. Recorded in Plat Book 16, Page 176  
Of the Public Records of Lee County, Florida.

A 12 foot wide public utility easement centered on the lot line common to  
Lots 02 & 03 and Lots 02, 03 & 04.

Strap #: 16-45-27-02-00036.0020

Dear Ms. Angus:

Sprint-Florida Incorporated has reviewed the document for the above referenced information.  
Based on the review, we have no objection to the vacation of a portion of a public utility easement at the  
Lehigh Acres location.

If you should require additional information, please contact me at 941-336-2023.

Sincerely,

A handwritten signature in cursive script that reads "Wayneth Jackson".

Wayneth Jackson  
Engineer



**East County**  
Water Control District

601 Construction Lane, Lehigh Acres, Florida 33936 941-368-0044 FAX: 941-368-3412

DEC 01 2001

November 29, 2001

Lyons Housing Corp  
12220 Towne Lake Drive Suite 1  
Fort Myers, FL 33913  
Att: Kelly Angus

Re: 16-45-27-13-00036.0020 Lots 2,3, & 4

Dear Ms. Angus:

East County Water Control District has no objection for Lee County to vacate their easement on strap # 16-45-27-00036.0020 Lots 2, 3, 4.

Please don't hesitate to give us a call.

Sincerely,

EAST COUNTY WATER CONTROL DISTRICT

A handwritten signature in cursive script that reads "David E. Lindsay / dc".

David E. Lindsay  
District Manager



DEC 24 2001

December 21, 2001

Ms. Kelly Angus  
12220 Towne Lake Dr. #1  
Ft. Myers, FL 33913

Re: Request for a letter of Review and Recommendation on a proposed easement vacation located on the following parcel: 16-45-27-13-00036.0020, Lots 2, 3 and 4. A 12-foot wide utility and/or drainage easement centered on the lot line common to Lots 2 & 3, Lots 2 & 4, Lots 3 & 4, Block 36 Unit 13 a subdivision of Lehigh Acres as recorded in Plat Book 27 Page 176.

Dear Ms. Angus:

Please be advised that Florida Water Services Corporation has reviewed the above-referenced request for a vacation of easement. We have no objection to the vacation of easement as described above.

Please call me at (407) 598-4187, if you need any additional information or other assistance.

Sincerely,

A handwritten signature in cursive script that reads "Rachel L. Cowing".

Rachel L. Cowing  
Legal Secretary



Florida Water Services Corporation / P.O. Box 609520 / Orlando, Florida 32860-9520 / Phone 407/598-4100

*Water For Florida's Future*

301 Tower Road  
Naples, FL 34113-8074  
tel / 941-793-9600  
fax / 941-793-1317



*November 29, 2001*

*Kelly Angus  
Arthur Rutenberg Homes  
12220 Towne Lake Drive, Suite 1  
Fort Myers, Florida 33913*

*Re: 16-45-27-13-00036.0020. Lots 2,3 & 4 704 Dubarry Ave, Lehigh Acres.*

*Dear Kelly Angus:*

*Comcast has no objections to your proposed petition to vacate the public easements of the above referenced lots, in Lehigh Acres. We currently do not have any cable facilities in the surrounding area, and have no future plans to extend our plant at this time.*

*We thank you for taking our opinion into consideration. If you should require further information or assistance, please feel free to contact me here.*

*Cordially,*

A handwritten signature in cursive script that reads "Lucia Vera".

*Lucia Vera  
Project Coordinator  
Comcast*

NOV 30 2001





**BOARD OF COUNTY COMMISSIONERS**

Writer's Direct Dial Number: 479-8585

Bob Janes  
*District One*

Douglas R. St. Cerny  
*District Two*

Ray Judah  
*District Three*

Andrew W. Coy  
*District Four*

John E. Albion  
*District Five*

Donald D. Stilwell  
*County Manager*

James G. Yaeger  
*County Attorney*

Diana M. Parker  
*County Hearing Examiner*

**January 23, 2002**

**Mr. Anthony Ross &  
Ms. Ada Markland:  
515 Columbus Ave.  
Lehigh Acres, Florida 33972**

**Re: VAC2002-00001 - Vacation of a 12' Public Utility and Drainage Easement.**

**Dear Mr. Ross & Ms. Markland:**

You indicated that as a result of combining adjacent lots into one residential building site, these platted easements prohibit the construction of your proposed site plan. Based on a review of the information provided and our subsequent research, this office has no objection to the proposed vacation.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT  
Development Services Division

Peter J. Eckenrode  
Director

PJE/sam

U:\200201\VAC20020.000\1\reviewandrec.wpd

DEC 07 2001

(941) 479-8124

**BOARD OF COUNTY COMMISSIONERS**

Writer's Direct Dial Number: \_\_\_\_\_

Thursday, December 06, 2001

Bob Janes  
*District One*

Douglas R. St. Cerny  
*District Two*

Ray Judah  
*District Three*

Andrew W. Coy  
*District Four*

John E. Albion  
*District Five*

Donald D. Stilwell  
*County Manager*

James G. Yaeger  
*County Attorney*

Diana M. Parker  
*County Hearing Examiner*

Ms. Kelly Angus  
Arthur Rutenberg Homes  
12220 Towne Lake Dr. #1  
Fort Myers, FL 33913

Re: Petition to Vacate a three twelve foot (12') wide utility easements common to Lots 2 & 3, 2 & 4, and 3 & 4, Block 36, Unit 13, Lehigh Acres Subdivision as recorded in Plat Book 27 at Page 126, Public Records of Lee County, Florida.

Dear Ms. Angus:

Based on the review of the documents submitted with your request, Lee County Division of Natural Resources has no objection to the vacation of a portion of the subject utility easements.

Should you have any questions, please call me at the above telephone number.

Regards,

ENVIRONMENTAL SERVICES DEPARTMENT



Allen L. Davies, Jr., P.S.M.  
Engineer II  
Natural Resources Division

-cc: Don Blackburn, Development Services  
Joan Henry, County Attorney's Office  
Margaret Lawson, LCDOT  
Roland Ottolini, P.E., NRD

S:\NATRES\SURFACE\DOCUMENT\vac226.doc

Bob Janes  
District One

Douglas R. St. Cerny  
District Two

Ray Judah  
District Three

Andrew W. Coy  
District Four

John E. Albion  
District Five

Donald D. Stilwell  
County Manager

James G. Yaeger  
County Attorney

Diana M. Parker  
County Hearing  
Examiner

December 5, 2001

Mr. Kelly Angus  
12220 Towne Lake Drive #1  
Fort Myers, FL 33913

DEC 07 2001

**RE: Petition to Vacate  
Easements on the parcel 16 45 27 13 00036 0020,  
Lots 2, 3 and 4, Lehigh Acres**

Dear Mr. Angus:

Lee County Department of Transportation has reviewed your request to vacate the 12 foot wide drainage and utility easements on the lot lines common to the above lots recorded in Plat Book 27, page 176. DOT has no facilities within the easements and does not maintain them.

Therefore, DOT offers no objection to this petition to vacate as proposed.

Very truly yours,

DEPARTMENT OF TRANSPORTATION



Margaret Lawson  
Right-of-way Supervisor

JMK/MAL/mlb

cc: Roland Ottolini, Natural Resources  
Peter Eckenrode, Devel. Svcs.  
Petition to Vacate File

**From:** Allen Davies  
**To:** Sharon Mihm  
**Date:** 2/5/02 10:53AM  
**Subject:** Re: VAC2002-00001

Thanks. The original letter I received from Kelly Angus states "utility and/or drainage easement". In addition, the survey plat faxed to me is difficult to read, hence the letter reads "utility easement". Based on the new information, Natural Resources has no objection to the proposed vacation. I hope this will help.  
If you need a new letter, please let me know.

Regards,

Sharon Mihm 02/05/02 10:45AM >>>  
natres\surface\document\vac226.doc

Sharon Mihm  
Development Review Technician  
Lee County Development Services  
[mihmsa@leegov.com](mailto:mihmsa@leegov.com)  
941-479-8375  
941-479-8386 FAX

Allen L. Davies, Jr.  
Division of Natural Resources  
[daviesal@leegov.com](mailto:daviesal@leegov.com)  
941.479.8124 (Voice)  
941.479.8108 (Fax)  
941.850.2636 (Mobile)

>>> Allen Davies 02/05/02 09:54AM >>>  
what is the file # om the bottom of the letter so i can look it up?

>>> Sharon Mihm 02/05/02 09:39AM >>>  
I have your letter of no objection, however, Joan sent it back because your letter does not state drainage and utility as all of the others do. She will accept an email to me stating you have no objections or I can bring the letter up to have you adjust.

704 Dubarry Ave. S  
Lehigh  
16452713000360020

Sharon Mihm  
Development Review Technician  
Lee County Development Services  
[mihmsa@leegov.com](mailto:mihmsa@leegov.com)  
941-479-8375  
941-479-8386 FAX

**CC:** Joan Henry

**RESOLUTION NO. \_\_\_\_\_ TO SET PUBLIC HEARING  
FOR PETITION TO VACATE Case Number: VAC2002-00001**

WHEREAS, a Petition to Vacate was filed with the Board of County Commissioners;  
and

WHEREAS, the Petitioner seeks to abandon, discontinue, close or vacate a portion  
of a plat, easement, parcel or right-of-way legally described in the attached Exhibit "A".

WHEREAS, under Florida Statute and the Lee County Administrative Code, the  
Board must hold a Public Hearing in order to grant a vacation affecting a public easement,  
public right-of-way or platted lands.

BE IT THEREFORE RESOLVED by the Board of County Commissioners of Lee  
County, Florida, as follows:

1. A Public Hearing on Petition to Vacate No. VAC2002-00001 is set for the  
\_\_\_\_\_ in the Lee County Commission Chambers.

2. A Notice of Public Hearing on this Petition to Vacate will be published in  
accordance with the Lee County Administrative Code.

THIS RESOLUTION passed by voice and entered into the minutes of the Board of  
County Commissioners of Lee County, Florida this \_\_\_\_\_

ATTEST:  
CHARLIE GREEN, CLERK

BOARD OF COUNTY  
COMMISSIONERS OF  
LEE COUNTY, FLORIDA

\_\_\_\_\_  
Deputy Clerk Signature

\_\_\_\_\_  
Chairman Signature

\_\_\_\_\_  
Please Print Name

\_\_\_\_\_  
Please Print Name

APPROVED AS TO FORM

\_\_\_\_\_  
County Attorney Signature

\_\_\_\_\_  
Please Print Name

## **LEGAL DESCRIPTION**

A 12' Public Utility and Drainage Easement centered on the common lot lines of lots 2, 3 & 4, Block 36, Unit 13, of Lehigh Acres, as recorded in the Plat Book 27, Page 476 of the Public Records of Lee County, Florida, Section 16, Township 45 South, Range 27 East, less and except the north 20 feet thereof, and the east and west 6 feet thereof.

# NOTICE OF PUBLIC HEARING FOR PETITION TO VACATE

Case Number: VAC2002-00001

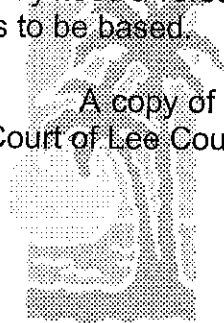
TO WHOM IT MAY CONCERN:

Notice is hereby given that on the 26th day of March 2002 @5:00 PM in the County Commissioners' Meeting Room, Old Lee County Courthouse, 2120 Main Street, Fort Myers, Florida, the Board of County Commissioners of Lee County, Florida, will consider and take action on a Petition vacating the public's interest in the easement, plat or portion of a plat legally described in the attached Exhibit "A".

Interested parties may appear in person or through a representative and be heard with respect to the Petition to Vacate.

Anyone wishing to appeal the decision made by the Board with respect to any matter considered at this meeting will need a record of the proceeding for such appeal, and may need a verbatim record, to include all testimony and evidence upon which the appeal is to be based.

A copy of the Petition to Vacate is on file in the Office of the Clerk of the Circuit Court of Lee County, Florida, Minutes Office, 2115 Second Street, Fort Myers, Florida.



LEE COUNTY

CHARLIE GREEN, CLERK

S O U T H W E S T F L O R I D A

Deputy Clerk Signature

\_\_\_\_\_  
Please Print Name

APPROVED AS TO FORM

\_\_\_\_\_  
County Attorney Signature

\_\_\_\_\_  
Please Print Name

## **LEGAL DESCRIPTION**

A 12' Public Utility and Drainage Easement centered on the common lot lines of lots 2, 3 & 4, Block 36, Unit 13, of Lehigh Acres, as recorded in the Plat Book 27, Page 476 of the Public Records of Lee County, Florida, Section 16, Township 45 South, Range 27 East, less and except the north 20 feet thereof, and the east and west 6 feet thereof.